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12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA

14

15 UNITED STATES OF AMERICA,) No. CR-07-00488 CW
16 vs.)
17 Plaintiff,) **STIPULATION AND [PROPOSED]**
18 ANDRE MATTHEWS, et al.) **ORDER CONTINUING STATUS**
19 Defendant.) **HEARING**
20) Hearing Date: September 26, 2007
21) Requested Date: October 24, 2007
22)
23)
24)
25)
26)

17 It is hereby stipulated that the STATUS hearing date of September 26, 2007 be continued
18 to October 24, 2007 at 2:30 p.m. In addition, the parties stipulate and agree that time should be
19 excluded between September 26, 2007 and October 24, 2007 due to the ongoing investigation by
20 defense counsel. Approximately 4000 pages of discovery have been produced to defense counsel
21 in electronic form. Not all of this has been printed. Seven CD-ROM's of discovery are
22 forthcoming this week. The parties understand the court's preference for setting of motions by
23 stipulation; however, the parties are not in a position to assess the time needed for discovery
24 review or motions preparation. The parties will attempt to propose a motions schedule by
25 stipulation prior to the requested next appearance.
26

1 The parties agree that the ends of justice served by the continuance requested herein
2 outweigh the best interest of the public and the defendant in a speedy trial because the failure to
3 grant the continuance would deny the counsel for the defendant the reasonable time necessary for
4 effective preparation, taking into account the exercise of due diligence. Time should therefore be
5 excluded pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

6

7

Date

/s/
John Paul Reichmuth
Assistant Federal Public Defenders
Counsel for defendant Johnson

8

9

10 Date

/s/
Richard Tamor
Counsel for defendant Bacon

11

12

Date

/s/
Michael Hinckley
Counsel for defendant Green

13

14

Date

/s/
Garrick Lew
Counsel for defendant Alexander

15

16

Date

/s/
Gail Shifman
Counsel for defendant Kautzman

17

18

Date

/s/
John Hemann
Counsel for defendant Matthews

19

20

Date

/s/
Laura Robinson
Counsel for defendant Enriquez

21

22

Date

/s/
Mark Goldrosen
Counsel for defendant Reyes

23

24

Date

1 Date

/s/
Seth Chazin
Counsel for defendant Williams

4 Date

/s/
Keslie Stewart
Assistant United States Attorney

6 I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/)
within this efiled document.

7 _____
/S/ John Paul Reichmuth
Counsel for Defendant Alicia Johnson

9 **ORDER**

10 Based on the reasons provided in the stipulation of the parties above, the Court hereby
11 finds that the ends of justice served by the continuance requested herein outweigh the best
12 interest of the public and the defendant in a speedy trial because the failure to grant the
13 continuance would deny the counsel for the defendant the reasonable time necessary for effective
14 preparation, taking into account the exercise of due diligence. The Court makes this finding
15 because the parties continue to investigate the new discovery, and because the parties are
16 engaging in settlement discussions.

17 Based on these findings, IT IS HEREBY ORDERED THAT the STATUS hearing date of
18 September 26, 2007 be continued to October 24, 2007 at 2:30 p.m. and that time be excluded
19 from September 26, 2007 to October 24, 2007 pursuant to 18 U.S.C. §§3161 (h)(8)(A) and
20 (B)(iv).

21 IT IS SO ORDERED.

24 Date

25 Honorable Claudia Wilken
26 Judge, United States District Court
Northern District of California